

BEFORE THE ARIZONA BOARD OF OSTEOPATHIC
EXAMINERS IN MEDICINE AND SURGERY

In the Matter of)	
)	
MARK GOLDSTEIN, D.O.)	STIPULATION AND PROBATION ORDER
)	
Holder of License No. 1572 for)	
the Practice of Osteopathic)	
<u>Medicine in the State of Arizona.)</u>		

This matter having come on regularly for informal interview before the Arizona Board of Osteopathic Examiners in Medicine and Surgery on the 3rd day of December, 1987, the licentiate, MARK GOLDSTEIN, D.O. holder of License No. 1572 for the practice of osteopathic medicine in the State of Arizona, being duly noticed and appearing in person, and the Arizona Board of Osteopathic Examiners in Medicine and Surgery having conducted its informal interview of the licentiate and having afforded the licentiate an opportunity to be heard on the issues before it, and having considered all the material evidence in the matter, and being fully advised, makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

I

The Arizona Board of Osteopathic Examiners in Medicine and Surgery is the duly constituted authority for the regulation and control of the practice of osteopathic medicine in the State of Arizona.

II

MARK GOLDSTEIN, D.O., is the holder of License No.1572 for the practice of osteopathic medicine in the State of Arizona.

III

MARK GOLDSTEIN, D.O. admits to a narcotic and alcohol abuse problem.

IV

MARK GOLDSTEIN, D.O. has completed an inpatient chemical dependency treatment program at Ridgeview Institute.

V

MARK GOLDSTEIN, D.O., for a period of time, fraudulently obtained narcotic drugs by writing prescriptions in the name of other persons when the drugs were actually for his personal abuse.

CONCLUSIONS OF LAW

VI

The Arizona Board of Osteopathic Examiners in Medicine and Surgery has jurisdiction over the subject matter hereof and over the licentiate pursuant to A.R.S. §32-1803 and 32-1855.

VII

The conduct of MARK GOLDSTEIN, D.O. described in Paragraph III through V above constitutes unprofessional conduct as the term is defined in ARS§32-1854.A.4, habitual intemperance in the use of alcohol; ARS§32-1854.A.5, habitual use of narcotic or hypnotic drugs, or both; ARS§32-1854.A.6., prescribing, dispensing or administering controlled substances or prescription only drugs for other than accepted therapeutic purposes; and ARS§32-1854.A.23, use of controlled substances or prescription-only drugs unless provided by a medical practitioner, as defined in §32-1901, paragraph 34, as part of a lawful course of treatment.

VIII

Grounds exist under A.R.S. §32-1855 to take disciplinary action against MARK GOLDSTEIN, D.O.

ORDER

IT IS THEREFORE ORDERED that MARK GOLDSTEIN, D.O. be and hereby is placed on probation for a minimum of 5 years under the following terms and conditions:

1. Practitioner shall comply with the aftercare program outlined by Ridgeview and attend 5 to 7 AA or NA meetings weekly which will include the weekly Caduceus Club meeting and at least 1 OA meeting.

2. Practitioner shall select a sponsor.

3. Practitioner shall submit to weekly random biological fluid drug screens, at his expense, upon request by the Board or its designee.

4. Practitioner shall appear before the Board upon reasonable notice with the first review to be held during the course of the Board's January 15 - 16, 1988 meeting.

5. Practitioner must comply with all the statutes and rules and regulations of the Board.

6. If Practitioner should fail to comply with all terms and conditions of this Order, then the Board may immediately suspend License No. 1572 issued to MARK GOLDSTEIN, D.O., provided, however, that Practitioner shall be entitled to a subsequent hearing before the Board concerning only the issue of whether the terms of this Order have been violated.

7. Any violation of the Board's statutes, rules and regulations subsequent to this Order may be the basis for further disciplinary action.

ENTERED and effective this 3rd day of December, 1987.

ARIZONA BOARD OF OSTEOPATHIC
EXAMINERS IN MEDICINE AND SURGERY

S E A L

By Richard Darby D.O.
Richard Darby, D.O.
Vice President

By Mary L. Tucker
Mary L. Tucker
Executive Director

I have reviewed the above Order of Probation and stipulate thereto.

Mark Goldstein D.O.
Mark Goldstein, D.O.